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OFFICE OF PETITIONS

In re Patent No.	:	
7,122,635	:	
Application No. 09/478,977	:	DECISION GRANTING PETITION
Filing Date: January 6, 2000	:	
Issue Date: October 17, 2006	:	
Attorney Docket No. 89188.0007	:	

This is a decision on the petition under 37 CFR 1.182, filed February 5, 2008, requesting issuance of duplicate Letters of Patent for the above-identified patent.

The petition is **granted**.

The file record discloses that the instant application matured into U.S. Patent No. 7,122,635 on October 17, 2006. Petitioner contends, however, that the patent was never received and it is presumed lost in the mail.

In view of the facts set forth in the petition, it is concluded that the original Letters of Patent was not received¹. The Office of Data Management is directed to issue duplicate Letters of Patent.

Any questions concerning this decision may be directed to the undersigned at (571)272-3222. Any questions concerning issuance of the duplicate Letter of Patent should be directed to Niomi Farmer, Office of Data Management at (703) 308-9250 extension 129.

A copy of this decision is being forwarded to the Office of Data Management for issuance of a duplicate Letter of Patent.

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions

cc: Niomi Farmer—Office of Data Management FAX: 571-270-9753

¹ The petition fee of \$400.00 will not be refunded because petitioner has not established that the Letter of Patent was not received. This is normally established by a statement that file records were searched and the Letter of Patent was not found and by the submission of the docket records to substantiate the alleged non-receipt.